

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MARC BONNANT,

Plaintiff,

-against-

Case No.

09-cv-3007

MERRILL, LYNCH, PIERCE, FENNER & SMITH,
INC. and MERRILL LYNCH CAPITAL SERVICES,
INC.,

Defendants.

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REPLY DECLARATION OF DAVID J. HOFFMAN

1. I am counsel for Plaintiff Marc Bonnant.
2. I submit this declaration in reply in support of Plaintiff's FRCP 62.1 motion for relief under FRCP 60(b)(2) and FRCP 60(b)(3).
3. Attached hereto as exhibit 1 is a true copy of an article, with translation, appearing in Le Temps newspaper, Geneva, Switzerland, on November 27, 2010.
4. I declare the foregoing under penalty of perjury.

Dated: New York, New York
December 23, 2010

/s/David J. Hoffman
David J. Hoffman